

**MEMO ENDORSED****BARCLAY DAMON<sup>LLP</sup>**

Joseph A. Murphy  
Associate

The application is granted.  
denied.

June 1, 2015

*Nelson S. Román, U.S.D.J.*

*Dated: June 2, 2015*

*White Plains, New York 10601*

VIA FACSIMILE (914) 390-4179

Hon. Nelson S. Román  
United States District Judge  
United States Courthouse  
300 Quarropas Street  
White Plains, NY 10601

*Pre-motion Conference remains  
set for June 4, 2015 at 11:30am.*

Re: BDRN, LLC v. United Healthcare Of New York, Inc., Civil Action No. 15-cv-804  
(NSR)

Dear Judge Román:

We write on behalf of Plaintiffs to request an adjournment of the pre-motion conference currently scheduled for June 4, 2015 at 11:30 a.m. concerning Defendants' proposed motion to dismiss the amended complaint. Pursuant to the Court's Individual Practices, we submit the following alternative proposed dates: July 9, 10, 23 and 24, 2015. The parties' preference would be July 9, 2015.

As the Court is aware, the parties have been discussing a possible resolution of this matter. As a means to facilitate those efforts, the parties recently submitted a Stipulated Protective Order, which the Court recently so-ordered and electronically filed earlier today. With the Stipulated Protective Order in place, the parties are now positioned to continue their settlement efforts.

In that context, we submit this request for an adjournment. Defendants have consented to this request. This is the first request for an adjournment of this pre-motion conference.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 6/2/2015

Respectfully submitted,

*Joseph A. Murphy*

Joseph A. Murphy<sup>1</sup>

<sup>1</sup> As a result of a combination with the law firm Damon Morey LLP, Hiscock & Barclay, LLP is now known as Barclay Damon, LLP.

Hon. Nelson S. Román

June 1, 2015

Page 2

JAM

cc:

Michael H. Bernstein, Esq.

Sedgwick LLP

Brookfield Place, 225 Liberty Street, 28th Floor

New York, NY 10281-1008